

Wetlands Bureau Decision Report

Decisions Taken
10/19/2009 to 10/25/2009

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2009-00318 DESCHENES, JOHN
NASHUA Tributary To Merrimack River

Requested Action:

Permanently remove an existing 8 ft 6 inch x 23 ft permanent docking structure, all concrete blocks placed in jurisdiction, and a 12 ft x 12 ft 6 inch deck. Retain an existing 6 ft x 8 ft concrete pad located in the bank behind the reference line, construct a 6 ft x 23 ft seasonal dock attached to the existing pad, and install 9 sq ft of rip rap at the base of the concrete pad above the reference line on an average of 100 ft of frontage on the Nashua River, in Nashua.

Conservation Commission/Staff Comments:

Con Com submitted several comments

APPROVE PERMIT:

Permanently remove an existing 8 ft 6 inch x 23 ft permanent docking structure, all concrete blocks placed in jurisdiction, and a 12 ft x 12 ft 6 inch deck. Retain an existing 6 ft x 8 ft concrete pad located in the bank behind the reference line, construct a 6 ft x 23 ft seasonal dock attached to the existing pad, and install 9 sq ft of rip rap at the base of the concrete pad above the reference line on an average of 100 ft of frontage on the Nashua River, in Nashua.

With Conditions:

1. All work shall be in accordance with plans by Gary Flaherty dated September 21, 2009, as received by DES on September 24, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. The rip rap shall be placed entirely above and behind the reference line as shown on the approved plans.
6. Seasonal pier shall be removed from the river for the non-boating season.
7. No portion of the pier shall extend more than 23 feet from the shoreline.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. The applicant shall submit a report to the file consisting of photos and plans of the completed work to include all impacted areas within 30 days of completion of the work.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to prime wetlands designated under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project during the week of August 24, 2009. Field inspection determined the permanent dock should be converted to seasonal construction, and that there has been concrete placed within the banks of the Nashua River.
6. The applicant has an average of 100 feet of shoreline frontage along the Nashua River.

7. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
8. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
9. There is no significant net loss of any values set forth in RSA 482-A:1, therefore in accordance to RSA 482-A:11 a public hearing was not deemed necessary under RSA 482-A:8.
10. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the Nashua River, as identified under RSA 482-A:1.
11. The construction of a seasonal dock and retaining the existing anchoring pad is not a significant impact or will not affect the net value of the resource of the Nashua River.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2008-00188 JWM GENERATIONS TRUST
TUFTONBORO Lake Winnepesaukee

Requested Action:

Applicant requests reconsideration of the Department's June 25, 2009 decision to deny retention of 102.5 sq ft of impacts associated with a walkway constructed adjacent to the boathouse.

Conservation Commission/Staff Comments:

No Con Com comments by 04/11/08

APPROVE RECONSIDERATION:

Reconsider and approve request to retain impacts after the fact and amend permit to read: Excavate 1001.5 sq ft of bank and dredge 15 cubic yards from 269 sq ft of lake bed to construct a 29 ft x 31 ft dug in boathouse and install a 6 ft x 26 ft seasonal dock attached to a 6 ft x 4 ft permanent wharf on an average of 185 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group revised September 1, 2009, as received by DES on September 4, 2009 and architectural drawings by Beckwith Builders, Inc. dated October 21, 2009 as received by DES on October 21, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 524.32) above normal high water (Elev. 504.32). There shall be no second floor.
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
14. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
15. The seasonal pier shall be removed from the lake for the non-boating season.
16. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
17. This permit does not allow for any dredge on the eastern side of the seasonal dock.
18. The exterior walkway shall be constructed and maintained in a manner such that it will effectively absorb and infiltrate stormwater.
19. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of docking facilities providing 3 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 185 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

Requested Action:

Applicant requests reconsideration of the Departments decision to deny the after-the-fact amendment request to add 102.5 sq ft of impact to the proposed boathouse foundation increasing the footprint from 899 sq ft to 1001.5 sq ft of impact and construct a 6 ft x 26 ft seasonal dock attached to a 6 ft x 4 ft permanent dock section on Lake Winnepesaukee, Tuftonboro.

DENY RECONSIDERATION:

Deny the after-the-fact amendment request to add 102.5 sq ft of impact to the proposed boathouse foundation increasing the footprint from 899 sq ft to 1001.5 sq ft of impact and construct a 6 ft x 26 ft seasonal dock attached to a 6 ft x 4 ft permanent dock section on Lake Winnepesaukee, Tuftonboro.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. In accordance with Rule Env-Wt 302.04(a), Requirements for Application Evaluation, the applicant is required to demonstrate "the need for the proposed impact."
3. Rule Env-Wt 302.04(d) states that the Department shall not grant a permit if "(1) [t]here is a practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction."

4. Pursuant to Rule Env-Wt 302.01 "for nontidal wetlands, need shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands."
5. In accordance with Env-Wq 1405.03, (b) Accessory structures shall: "(1) Not exceed 12 feet in height; or (2) Not exceed 20 feet in height if authorized by a permit under RSA 482-A, but located on the land rather than over public water, such as a dug-in boathouse.
(c) Subject to (d) and (e), below, accessory structures shall be:
(1) No larger than 1.5 square feet per linear foot of shoreline; or (2) No larger than 900 square feet per structure if authorized by a permit under RSA 482-A but located on the land rather than over the public water, such as a beach or a dug-in boathouse."
6. In accordance with Rule Env-Wq 1405.03, Accessory structures shall: "(a) Not exceed 20 feet in height; (b) Have a footprint no larger than 150 square feet."
7. In accordance with Rule Env-Wq 1405.04, Setback for Accessory Structures, "all accessory structures built after November 26, 1996, shall be set back at least 20 feet from the reference line."

Findings of Fact

8. On September 05, 2008, the Wetlands Bureau issued a permit to excavate 899 sq ft of bank and dredge 15 cubic yards from 269 sq ft of lake bed to construct a 29 ft x 31 ft dug in boathouse and install a 6 ft x 30 ft seasonal dock on an average of 185 ft of frontage on Lake Winnepesaukee, in Tuftonboro.
9. On April 09, 2009, the Wetlands Bureau received an request to amend the permit to add 102.5 sq ft of impact to the proposed boathouse foundation increasing the footprint from 899 sq ft to 1001.5 sq ft of impact and construct a 6 ft x 26 ft seasonal dock attached to a 6 ft x 4 ft permanent dock section on Lake Winnepesaukee, Tuftonboro.
10. The plan submitted in support of the amendment request indicates a boat house foundation of 1001.5 sq ft. This proposal increases the footprint of the proposed boat house from 899 sq ft to 1001.5 sq ft.
11. The plan submitted with the amendment request is labeled "foundation plan", clearly indicating this is an increase in the footprint of the boat house from 899 sq ft to 1001.5 sq ft.
12. On July 24, 2009, the Department received a reconsideration request to the Departments decision.
13. September 04, 2009, the Department received follow up information to the reconsideration request to the Departments decision. The plans indicated installation of concrete paving blocks over the impacted amendment area.
14. The plan submitted does not include areas of additional impact to include the rip rap bank and areas around the boat house which were originally proposed to be planted and stabilized.

Rulings in Support of Denial

15. The original approval for bank stabilization is less impacting than the proposed amendment request, therefore pursuant to Env-Wt 302.04, the reconsideration request is denied.

2008-00253 FITZPATRIC, RICHARD
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Retain an existing 6 ft x 50 ft seasonal dock and connect it to a 6 ft x 50 ft seasonal dock with a 6 ft x 12 ft seasonal walkway in a "U-shaped" configuration, retain a 6 ft wide ramp accessway, install a 14 ft x 29 ft seasonal canopy and a boat lift within the center boat slip on 200 ft of frontage in Moultonborough on Lake Winnepesaukee.

APPROVE AMENDMENT:

Retain an existing 6 ft x 50 ft seasonal dock and connect it to a 6 ft x 50 ft seasonal dock with a 6 ft x 12 ft seasonal walkway in a "U-shaped" configuration, retain a 6 ft wide ramp accessway, install a 14 ft x 29 ft seasonal canopy and a boat lift within the center boat slip on 200 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by Don Carey as received by the Department on August 17, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of

the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. This permit does not authorize maintenance dredging.
6. This permit does not authorize sand deposition.
7. This permit does not authorize retaining wall or rip-rap construction within Wetlands jurisdiction.
8. No portion of the dock shall extend more than 50 feet from the shoreline at the normal high water mark.
9. All portions of the docking facility (docks, seasonal canopy, boatlift, etc) must be removed from the lakebed for 5 months during the non-boating season.
10. The unnecessary removal of vegetation is prohibited.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a minor docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed dock length of 50 ft was justified to adequately provide three boatslips meeting the definition found in RSA 482-A:2, VIII, on 200 ft of frontage.

2009-00785 CLAREMONT DPW, CITY OF
CLAREMONT Tributary To Sugar River

Requested Action:

Dredge and fill \pm 80 sq. ft. and temporarily impact 180 sq. ft. of an unnamed perennial tributary to the Sugar River at Thrasher Rd. to replace a failed 2-ft. x 4-ft. x 26-ft. stone box culvert with a 4-foot x 5-foot x 26-ft. concrete open bottomed box culvert and install fire protection water line.

APPROVE PERMIT:

Dredge and fill \pm 80 sq. ft. and temporarily impact 180 sq. ft. of an unnamed perennial tributary to the Sugar River at Thrasher Rd. to replace a failed 2-ft. x 4-ft. x 26-ft. stone box culvert with a 4-foot x 5-foot x 26-ft. concrete open bottomed box culvert and install fire protection water line.

With Conditions:

1. All work shall be in accordance with plans by Jesseman Associates, P.C. dated April 2009, and revised through October 15, 2009, as received by the Department on October 19, 2009.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
3. Work shall be done during low flow conditions.
4. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
5. Appropriate siltation and erosion controls shall be in place prior to construction,

shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
18. The recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
22. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
23. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
24. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
25. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of a perennial stream.
2. The proposed open-bottom box culvert will span the stream channel and freely pass the 50-year storm.
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
4. In correspondence dated August 25, 2008, the Claremont Conservation Commission indicated they are in favor of the project.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

Requested Action:

Proposal to dredge and fill 4,532 sq. ft. of wetlands for construction of an access road for a proposed 11-lot residential subdivision. Work in wetlands consists of two fill impacts along the edge of wetlands and construction of one wetlands crossing containing a 36 in. x 50 ft. culvert with associated headwalls, grading, filling and side slope stabilization.

APPROVE PERMIT:

Dredge and fill 4,532 sq. ft. of wetlands for construction of an access road for a proposed 11-lot residential subdivision. Work in wetlands consists of two fill impacts along the edge of wetlands and construction of one wetlands crossing containing a 36 in. x 50 ft. culvert with associated headwalls, grading, filling and side slope stabilization.

With Conditions:

1. All work shall be in accordance with subdivision plan by Associated Surveyors, revision date April 28, 2009 and narratives by NEE, Inc., dated September 18, 2009, as received by DES on September 21, 2009 and plans by Fluet Engineering Associates, P.C, sheet C0 revision date June 15, 2009 and sheets C1 and C2 revision date June 3, 2009 (with stormwater treatment changes added after plan revision date), plan sheet D3 revision date September 11, 2006 and subdivision plan by Associated Surveyors (with corrected plan scale), as received by DES on October 20, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work shall be done during low flow.
5. There shall be no alteration of the designated Prime Wetlands or the 100 foot Prime Wetland Buffer.
6. The deed for all lots within the subdivision having any portion of within the 100 foot Prime Wetland Buffer or Prime Wetland shall include the conditions of this permit.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #7 of this approval.
9. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
10. The boundaries of the 100-foot prime wetland buffer shall be permanently and clearly marked with signs every 75 feet to indicate the location of and restrictions on the area.
11. There shall be no dredging, removal, or disturbance of any existing vegetative undergrowth within the 100-foot prime wetland buffer. The placement of fill, construction of structures, or storage of vehicles or hazardous materials is prohibited.
12. Any additional human activities within the 100-foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by the Department of Environmental Services, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

22. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. There are no activities proposed or approved within the State's 100 foot Prime Wetland buffer or the Designated Prime Wetlands.
6. The approved plans, narratives and conditions of the permit provide for a minimum of 100 foot buffer around the Prime Wetland area.
7. The Town of Meredith has a more restrictive 150 foot Prime Wetland buffer.
8. The well location for proposed lot-5 appears to be within the Town's 150 foot Prime Wetland buffer, however, it is outside of the State's 100 foot Prime Wetland buffer. Additionally, the applicant's NH Certified Wetland Scientist ("CWS") has indicated that the very poorly drained soil boundary is actual 60 feet further into the interior of the delineated wetlands.
9. The department received comments from the Meredith Conservation Commission dated June 18, 2009, indicating that they have no objections to granting of the request.
10. The United States Environmental Protection Agency ("USEPA") and Army Corps of Engineers ("USACOE") indicated that they required a vernal pool survey for the project to be considered eligible for the NH Programmatic General Permit ("SPGP") process.
11. The applicant's agent provided the survey.
12. The USEPA indicated the project is now eligible for the SPGP process.

2009-01349 HORIZON CONDO TRUST
HAMPTON Tidal Buffer Zone

Requested Action:

Impact 174 sq ft within the previously developed 100-foot tidal buffer zone to add a second story to the existing residential dwelling within the existing foot-print; install a pervious paver patio; and, construct a 4-foot by 12-foot cantilevered deck.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission 'does not oppose the granting of the wetlands permit.'

APPROVE PERMIT:

Impact 174 sq ft within the previously developed 100-foot tidal buffer zone to add a second story to the existing residential dwelling within the existing foot-print; install a pervious paver patio; and, construct a 4-foot by 12-foot cantilevered deck.

WAIVER APPROVED: RSA 483-B:9, II is waived to allow the expansion of a primary structure located within the primary building setback.

With Conditions:

1. All work shall be in accordance with the Wetland Impact Plans by Jones & Beach Engineers, Inc. dated June 3, 2009, as received by DES on June 25, 2009.
2. This approval includes a waiver of RSA 483-B:9, II and, therefore, shall not be effective until it has been recorded at the Rockingham County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will

require a new application and approval by the Bureau.

4. The patio shall be constructed of porous paver material.
5. This project shall result in no increase in the area of impervious surface within protect shorelands on this lot.
6. The project as proposed shall not impact any areas currently existing in an unaltered state.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The Applicant shall plant a combination of native shrubs, bushes, and perennials in accordance with the recommendations of the Hampton Conservation Commission.
13. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The applicant proposes to add a second story to the existing residential dwelling within the existing foot-print; install a pervious paver patio; and, construct a 4-foot by 12-foot cantilevered deck. Therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The proposed addition of the second story will be done within the existing foot-print of the dwelling and the patio will be constructed of pervious pavers. Therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. In a memo from the NH Natural Heritage Bureau ("NHB") dated April 20, 2009, several natural communities were identified and five (5) vertebrate species: Artic Tern (*Sterna paradisaea*); Common Tern (*Sterna hirundo*); Saltmarsh Sharp-tailed Sparrow (*Ammodramus caudacutus*); Seaside Sparrow (*Ammodramus maritimus*); and, Willet (*Catoptrophorus semipalmatus*) were located within the vicinity of the project.
6. DES finds this project will not impact any of the aforementioned natural communities as the site, and surround area, is currently developed.
7. The NH Fish and Game, Nongame and Endangered Species Program "does not expect impacts to any" of the aforementioned vertebrate species.
8. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
9. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
10. The applicant has proposed to improve the buffer through the planting of native species, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2009-01689

DAWSON, JOHN & JANE CRAFFEY

SALEM Unnamed Wetland

Requested Action:

Dredge and fill a total of 2,440 sq. ft. of palustrine forested/scrub shrub wetlands, including crossing an intermittent stream, to construct three (3) driveway culvert crossings to access a 6-lot residential subdivision on a 24 acre parcel of land.

Conservation Commission/Staff Comments:

The Salem Conservation Commission voted to recommend approval of the application and plans submitted.

APPROVE PERMIT:

Dredge and fill a total of 2,440 sq. ft. of palustrine forested/scrub shrub wetlands, including crossing an intermittent stream, to construct three (3) driveway culvert crossings to access a 6-lot residential subdivision on a 24 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates, PLLC dated July 2009, as received by DES on July 29, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. NH DES Wetlands Bureau staff shall be notified in writing prior to commencement of work and upon its completion.
6. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h)&(l).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-02410 DURHAM DPW, TOWN OF
DURHAM Tidal Buffer Zone

Requested Action:

Impact 3,882 sq. ft. the developed upland tidal buffer zone to construct a new, municipal submersible waste water pump station below grade, and associated site improvements, at the site of the existing pump station, including installation of the pump station unit and connection mains; removal and relocation of existing concrete pads and walks.

APPROVE PERMIT:

Impact 3,882 sq. ft. the developed upland tidal buffer zone to construct a new, municipal submersible waste water pump station below grade, and associated site improvements, at the site of the existing pump station, including installation of the pump station unit and connection mains; removal and relocation of existing concrete pads and walks.

With Conditions:

1. All work shall be in accordance with plans by Metcalf & Eddy/AECOM dated 9/29/2009, as received by DES on 10/9/2009.
2. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will

require a new application and approval by the Bureau.

4. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

5. This permit is contingent upon submission by the contractor of, and subsequent review and approval by DES, of a Stormwater Pollution Prevention plan ("SWPP") pursuant to recommendations of the Durham Conservation Commission.

6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

9. Excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.

12. Faulty equipment shall be repaired prior to entering jurisdictional areas.

13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a salt marsh that do not meet the criteria of Env-Wt 303.02.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project represents necessary upgrades to the main waste water collection point for the Durham municipal wastewater treatment system.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The improvements will occur within the footprint of existing impervious surfaces.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau ("NHB") stated in a memo dated 8/25/2009 that none of the several plant species of concern reported in the project vicinity are expected to be impacted by the project. The NH Fish and Game Department issued the same statement with regard to the listed wildlife species of concern per email dated 8/20/2009.

5. The Durham Conservation Commission supports the project but requested that the permit be conditioned to require the contractor to submit a SWPP prior to construction.

6. The project meets the requirements of RSA 483-B, the Comprehensive Shoreland Protection Act.

MINIMUM IMPACT PROJECT

2004-02180 ENERGY STAR HOMES LLC
MANCHESTER Unnamed Wetland

Requested Action:

Approve name change to: Energy Star Homes LLC, PO Box 4903, Manchester NH 03108-4903 per request received 10/21/09.

Previous owner: Edward Katz.

Conservation Commission/Staff Comments:

Con. Com. signed application.

7/10/07 Received call from Barry Germond, Casba Realty and faxed approved plans for potential buyer. Tel. no. 624-1766 and fax is 622-4827

APPROVE NAME CHANGE:

Dredge and fill a total of 1,050 sq. ft. of wetlands to install two culvert crossings (one 24" x 24' concrete box culvert, and one 35" wide x 24" high x 20' long pipe arch culvert) for a driveway crossing and installation of sewer and water lines within the same footprint, to access a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Granite State Engineering/Surveying dated September 7, 2004 for crossing one, as received by the Department on September 13, 2004; and per revised plan dated November 4, 2004 for crossing two, as received by the Department on November 5, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2009-01124 BROWNING, FRED
ALTON Lake Winnepesaukee

Requested Action:

Appellant requests reconsideration of the Department's September 9, 2009 decision to approve the repair in-kind of the existing structures.

Conservation Commission/Staff Comments:

Con Com requested the Department inspect the site and mentions the abutter states there is a property line issue.

DENY RECONSIDERATION:

Deny reconsideration and reaffirm the approval to repair an existing 24 ft x 36 ft boathouse with associated docks and a second story adapted for residential use located over public submerged lands, in-kind, on 59.5 ft of frontage on Lake Winnepesaukee in Alton.

With Findings:

Grounds for Reconsideration

1. The Appellant claims the scope of the permit is ambiguous as it does not prohibit the removal of stairs or the reconstruction of retaining walls.
2. The Appellant claims the existing structures have been modified in violation of RSA 482-A and should be removed.
3. The Appellant cites RSA 482-A:3, XIII and maintains that this provision prohibits the repairs of the existing structure without the abutter's written consent.

4. The Appellant claims that the Applicant has illegally repaired an existing retaining wall at the shoreline without the appropriate permits.

Standards for Approval

1. RSA 482-A:3, XIII requiring a 20 ft setback for docking structures from property lines became effective on August 23, 1998.

Findings of Fact

1. On September 9, 2009, the Department issued a permit, with conditions, for the repair in-kind of the docking structure with overhead residence located on property identified as Alton Tax map 36, lot 42.
2. Condition #1 of the permit states that all work shall be conducted in accordance with the approved plans with the specific exception that the removal of the stairs was not authorized.
3. Alton tax cards submitted to the file indicate that the structure was originally constructed in 1950.
4. The landward portion of the structure is supported by a retaining wall that holds back the bank in this location.
5. Photographs of the wall, allegedly repaired without a permit, submitted with the request for reconsideration show that the work was not conducted on the Applicant's property.
6. The Appellant submitted a copy of the front of Alton's 1988 tax card for the property with the request for reconsideration. The Appellant alleges that the diagram of the structure on the tax card proves that there was no "dog-leg" dock section present at that time.
7. A copy of the back side of the 1988 Alton tax card for the property already included in the file includes a photograph of the property that clearly shows the "dog-leg" dock section was in fact present in 1988.
8. The diagram on the front side of the 1988 tax card shows only the residential level of the structure and gives no measurements for the lower level.
9. On October 9, 2009 the Applicant submitted photographs of the property including one dated to 1977 showing the structure has not been expanded. The photographs appear to indicate that a deck which had covered the lowest terrace of the abutting property had been removed in the late 1970's.

Rulings in Support of the Decision

1. RSA 482-A XIII contains no language indicating that is to be applied retroactively to require the removal, or abandonment of, pre-existing legal structures. This provision shall not be used to prevent the maintenance of legally constructed, pre-existing structures.
2. The permit as issued is not ambiguous as it specifically requires that the stairs are not removed. Impacts including excavation and backfill necessary for the proper repair of the retaining wall were specifically outlined on the plan submitted to the Department and were approved as part of the permit.
3. There is currently no evidence available to the Department indicating that this residential structure over public waters has been illegally expanded.
4. The alleged illegal wall repair would have occurred on land owned by the Appellant, not the Applicant. No evidence has been submitted to show that the work on the Appellant's frontage was completed by the Applicant.

2009-01298 STOCK JR, JAMES
ROCHESTER Unnamed Wetland

Requested Action:

Dredge and fill 1,642 sq. ft. of wetlands for construction of driveway and access around building associated with development of a commercial lot.

APPROVE PERMIT:

Dredge and fill 1,642 sq. ft. of wetlands for construction of driveway and access around building associated with development of a commercial lot.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates dated March 2009, as received by DES on 6/18/2009.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. A naturally vegetated buffer shall be maintained between the project development and the forested wetlands, pursuant to the recommendations of the NH Natural Heritage Bureau, to protect plants species of concern located off site nearby.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Wetlands must be crossed at some point to access the property and to provide access around one of the buildings.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The impacts have been confined to the most narrow access point and the end of a wetland finger.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau ("NHB") reported several plant species of concern in the project vicinity. On 9/24/2009, NHB staff conducted a site visit, and concluded that neither of the two species of concern were located within the actual project area, and, as long as the project maintains a naturally vegetated buffer between the excavation and the adjacent forested wetland, there should not be any impacts to the nearby populations.
5. The Rochester Conservation Commission ("RCC") stated in a letter dated 6/29/2009 that the wetland was a prime wetland of Heath Bog and recommended that the finger not be filled.
6. In response to the RCC's comments, DES finds that the City of Rochester does not have Designated Prime Wetlands. Further, the project is proposed for an area of forested wetland, not the Heath Bog, and the approval of 823 sq. ft. at the tip of a forested wetland finger for parking lot access is consistent with other actions by DES in similar conditions.

2009-01693 NH DEPT OF TRANSPORTATION
TUFTONBORO

Requested Action:

Replace existing failed 24-inch x 50-foot culvert under 109A, in kind.

CONFIRM EMERGENCY AUTHORIZATION:

Replace existing failed 24-inch x 50-foot culvert under 109A, in kind.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(x).
2. The project was necessary to prevent the road from failing.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on August 6, 2009.

4. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

FORESTRY NOTIFICATION

2009-01886 CALEF, GEORGE
BARRINGTON Unnamed Stream Drainage Area

2009-02177 HORIZON LAND DEVELOPMENT LLC, DAVID FRASER, PRES
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Amherst Tax Map 10, Lot# 26

2009-02294 US FOREST SERVICE
STARK Unnamed Stream

COMPLETE NOTIFICATION:
Stark Tax Map/Lot# 411/26 & 419/1

2009-02371 KOSTZEWSKI, DAWN
HANOVER Unnamed Stream

COMPLETE NOTIFICATION:
Hanover Tax Map 11, Lot# 20-1

2009-02372 MARQUIS, YVES
DALTON Unnamed Stream

COMPLETE NOTIFICATION:
Dalton Tax Map 403, Lot# 86

2009-02373 PLAZA, AARON
CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:
Canterbury Tax Map 7, Lot# 6

2009-02374 PLAZA, AARON
NORTHFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Northfield Tax Map R13, Lot# 13

2009-02375 **BRUNAUT, CHRISTINE**
EPPING **Unnamed Stream**

COMPLETE NOTIFICATION:
Epping Tax Map 33, Lot# 28

2009-02376 **MORELAND, DAVID**
KINGSTON **Unnamed Stream**

COMPLETE NOTIFICATION:
Kingston Tax Map R38, Lot# 5

2009-02377 **GLINES, NORMA**
CANTERBURY **Unnamed Stream**

COMPLETE NOTIFICATION:
Canterbury Tax Map/Lot# 206/1 & 215/5

2009-02378 **GRAY, DONALD**
SANBORTON **Unnamed Stream**

COMPLETE NOTIFICATION:
Sanborton Tax Map 4, Lot# 27

2009-02381 **NH DRED, DIV OF FOREST & LANDS**
ODELL **Unnamed Stream**

COMPLETE NOTIFICATION:
Odell Tax Map 1621, Lot# 1

2009-02382 **LANGDON, GERALD**
EPPING **Unnamed Stream**

COMPLETE NOTIFICATION:
Epping Tax Map 11, Lpot3 3, 4 ,6

2009-02383 **RAYEN, CHRISTOPHER**
OSSIPEE **Unnamed Stream**

COMPLETE NOTIFICATION:
Ossipee Tax Map 7, Lot# 38

**2009-02384 HOOP, CHET & CRYSTAL
BARTLETT Unnamed Stream**

COMPLETE NOTIFICATION:
Bartlett Tax MAp 1RT16A, Lot# 136L00

**2009-02385 NEVILLE, HAROLD & CAROL
EFFINGHAM Unnamed Stream**

COMPLETE NOTIFICATION:
Effingham TAx Map 405, Lot# 19

**2009-02386 FRANCESTOWN CONSERVATION COMMISSION
FRANCESTOWN Unnamed Stream**

COMPLETE NOTIFICATION:
Francestown Tax Map 8, Lot# 74

**2009-02387 DUNNELLS, ELIZABETH
ROCHESTER Unnamed Stream**

COMPLETE NOTIFICATION:
Rochester Tax Map 108, Lot# 50

**2009-02389 NH AUDUBON SOCIETY
EATON Unnamed Stream**

COMPLETE NOTIFICATION:
Eaton Tax Map R6, Lot# 9

**2009-02393 TAFT, ROBERT
NEW IPSWICH Unnamed Stream**

COMPLETE NOTIFICATION:
New Ipswich Tax Map 15A, Lot# 2

**2009-02394 ANDERSON, GARY
SANBORNTON Unnamed Stream**

COMPLETE NOTIFICATION:
Sanbornton Tax Map 20, Lot# 38

**2009-02395 COLE, PHILLIP
FREEDOM Unnamed Stream**

COMPLETE NOTIFICATION:

Freedom Tax Map 16, Lot# 4

2009-02396 GARRIOTT-FOX, LOU & AILEEN
HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:

Hillsboro Tax Map 2, Lot# 16

2009-02397 WESTOVER, BRYAN & SHIRLEY HOLDEN
BOW Unnamed Stream

COMPLETE NOTIFICATION:

Bow Tax Map 25, lot# 48

2009-02398 WHITE, ROBERT
SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION:

Sanbornton Tax Map 20, Lot# 18

2009-02399 DONOVAN, ROBERT & JOSEPH
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:

Ossipee Tax Map 23, Lot# 25

2009-02487 GLINES, NORMA
NORTHFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Northfield Tax Map 18, Lot# 1

EXPEDITED MINIMUM

2009-01529 NH FISH & GAME DEPARTMENT
DURHAM Great Bay / Furber Strait

Requested Action:

Impact 1,000 sq. ft. to install drainage drip edge improvments, adjacent to an existing building in the developed upland tidal buffer zone to correct foundation flooding problems.

APPROVE PERMIT:

Impact 1,000 sq. ft. to install drainage drip edge improvements, adjacent to an existing building in the developed upland tidal buffer zone to correct foundation flooding problems.

With Conditions:

1. All work shall be in accordance with revised plans by Oak Point Associates dated 9/2/2009, as received by DES on 9/14/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line that are not major or minor.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing Jackson Laboratory building has foundation flooding which floods the inside of the building and needs to be corrected.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposal is to install a drip edge and associated re-grading, which will redirect drainage away from the foundation, and allow it to sheet-flow across the upland yard.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. Species reported by the NH Natural Heritage Bureau as occurring in the project vicinity will not be affected by this project.
5. The Durham Conservation Commission signed the expedited application.

2009-02151 MCDONOUGH, JAMES K & PHYLLIS
NEWBURY Chalk Pond

Requested Action:

Repair in kind and reduce a existing 35 linear ft retaining wall to 26 linear ft, replace the existing northerly retaining wall in kind, relocate the southerly retaining wall to the north 9 feet, and add native vegetation to the impacted areas, on Chalk Pond, in Newbury.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair in kind and reduce a existing 35 linear ft retaining wall to 26 linear ft, replace the existing northerly retaining wall in kind, relocate the southerly retaining wall to the north 9 feet, and add native vegetation to the impacted areas, on Chalk Pond, in Newbury.

With Conditions:

1. All work shall be in accordance with plans by Phyllis McDonough dated September 12, 2009, as received by DES on September 21, 2009.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Repair shall maintain existing size, location and configuration.

4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during drawdown.
6. The existing shoreline vegetation between the existing wall and the waterbody shall remain completely undisturbed.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the Department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The proposed project is less impacting than repairing the existing wall entirely.

2009-02298 NH DEPT OF TRANSPORTATION
LITCHFIELD Tributary To Merrimack River

Requested Action:

Reset an existing 24 in. culvert undermined by embankment erosion; stabilize and restore embankment slopes with stone impacting 480 sq. ft. of riverine wetlands.

APPROVE PERMIT:

Reset an existing 24 in. culvert undermined by embankment erosion; stabilize and restore embankment slopes with stone impacting 480 sq. ft. of riverine wetlands. NHDOT project #M-512-1.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 5 dated 9/25/2009 as received by the Department on Oct. 5, 2009.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.
11. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
12. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
13. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j), projects within the right of way of a public road impacting less than 3,000 sq. ft. and meeting the remaining criteria listed in the rule.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A review of the project relative to impaired waters finds that the work is repair, will have no additional loading or change in use and best management practices are required in the conditions of approval, therefore there should be no additional impact to impaired waters.
6. The Lower Merrimack Local Advisory Committee suggested the applicant follow the May 2009 stream crossing guidelines published by UNH an notes an open bottom culvert improves continuity for aquatic life and may reduce another failure in high flows.

TRAILS NOTIFICATION

2009-02185 NH DRED
WOLFEBORO Frost Brook

2009-02380 MERRICK, THOMAS
DURHAM Unnamed Stream Wetlands

ROADWAY MAINTENANCE NOTIF

2009-02435 WHITEFIELD DPW, TOWN OF
WHITEFIELD Unnamed Wetland

2009-02436 NH DEPT OF TRANSPORTATION
DOVER Unnamed Wetland

2009-02488 NH DEPT OF TRANSPORTATION
ORFORD Unnamed Stream

2009-02489 CIGNA HEALTH
HOOKSETT Unnamed Stream Unnamed Wetlands

PERMIT BY NOTIFICATION

2009-02264 PLEASANT LAKE ESTATES LLC
WARNER Pleasant Lake

Requested Action:

Dredge and fill \pm 140 sq. ft. of Pleasant Pond for dry hydrant installation.

PBN IS COMPLETE:

Dredge and fill \pm 140 sq. ft. of Pleasant Pond for dry hydrant installation.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(6), The excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, that meets the criteria in Env-Wt 303.04(w).
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
4. The Town has obtained an easement deed for the dry hydrant installation.

2009-02267 WARNER, TOWN OF
WARNER Warner River

Requested Action:

Dry hydrant installation on existing Warner River Waterloo Bridge abutment.

PBN IS COMPLETE:

Dry hydrant installation on existing Warner River Waterloo Bridge abutment.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(6), The excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, that meets the criteria in Env-Wt 303.04(w).
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2009-02340 NH DES DAM BUREAU, JIM GALLAGHER
MILTON Salmon Falls Brook

Requested Action:

Repair-in-kind 10 linear ft. of tail race stone retaining wall.

COMPLETE NOTIFICATION:

Repair-in-kind 10 linear ft. of tail race stone retaining wall.

2009-02475 CARSON, JOHN
MEREDITH Lake Winnepesaukee

Requested Action:

Installation of a seasonal boatlift.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Installation of a seasonal boatlift.

With Findings:

Installation of a seasonal boatlift pursuant to Env-Wt 303.04(ac).

CSPA PERMIT

2009-01289 GENNARO, PETER & CHRISTINE
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 1,210 sq ft for the purpose of constructing a detached garage and installing stormwater management controls.

APPROVE AMENDMENT:

Impact 1,210 sq ft for the purpose of constructing a detached garage and installing stormwater management controls.

With Conditions:

1. All work shall be in accordance with revised plans by Ames Associates dated August 20, 2009.
2. No more than 27.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,791 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,791 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

2009-01603 RICE ESTATE, JOHN
RINDGE Crowcroft Pond

Requested Action:

Impact 2,552 sq ft for the construction of a residential primary structure, driveway, and septic system.

APPROVE PERMIT:

Impact 2,552 sq ft for the construction of a residential primary structure, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design, LLC stamped October 15, 2009 and received by the Department of Environmental Services ("DES") on October 16, 2009.
2. No more than 2.95% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 27,109 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 14,721.75 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01785 WALTZ, MARK
EAST WAKEFIELD Great East Pond

Requested Action:

Impact 2,163 sq ft for the purpose of constructing a new garage and driveway.

APPROVE PERMIT:

Impact 2,163 sq ft for the purpose of constructing a new garage and driveway.

With Conditions:

1. All work shall be in accordance with plans submitted by Edward Builders and received by the Department of Environmental

Services ("DES") on August 13, 2009.

2. No more than 26.05% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater management plan shall be designed, implemented and maintained to effectively infiltrate and absorb stormwater.
4. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that each previously existing deficient grid segment will have at least the minimum score of RSA 483-B:9, V(a)(2)(D) as required by RSA 483-B:9, V(a).
5. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

2009-01786 HARRINGTON, JANE
NEWINGTON Little Bay

Requested Action:

Impact 400 sq ft for the purpose of constructing a new patio.

APPROVE PERMIT:

Impact 400 sq ft for the purpose of constructing a new patio.

With Conditions:

1. All work shall be in accordance with plans by Lang's Landscape Services, Inc. dated September 18, 2009 and received by the Department of Environmental Services ("DES") on October 13, 2009.
2. No more than 7.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 27,712 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.

2009-01842 CLANCY, CAROLYN
FREEDOM Danforth Pond

Requested Action:

Impact 2,030 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing a new septic system.

APPROVE PERMIT:

Impact 2,030 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Allan G. Fall received by the Department of Environmental Services ("DES") on October 16, 2009.
2. No more than 11.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,650 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2009-01987 GRASTORE, LEO
LACONIA Lake Winnepesaukee

Requested Action:

Impact 1080 sq. ft. to raze an existing cottage and add foundation, frame off basement and construct a basement walk out.

APPROVE PERMIT:

Impact 1080 sq. ft. to raze an existing cottage and add foundation, frame off basement and construct a basement walk out.

With Conditions:

1. All work shall be in accordance with plans by William Barnard dated September 1, 2009 and received by the Department of Environmental Services ("DES") on September 2, 2009.
2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
5. Any fill used shall be clean sand, gravel, rock, or other suitable material.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02116 BAAY, JOHN
MOULTONBOROUGH Squam Lake

Requested Action:

Impact 2,237 sq ft for the purpose of constructing a new cabin.

Conservation Commission/Staff Comments:

Spoke via phone 10/13/09. Peter Wooper will be mailing revised plan that indicates unaltered areas.

APPROVE PERMIT:

Impact 2,237 sq ft for the purpose of constructing a new cabin.

With Conditions:

1. All work shall be in accordance with plans submitted by Peter Wobber and received by the Department of Environmental Services ("DES") on October 21, 2009.
2. No more than 6.58% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 33,975 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. In order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii), a least 19,376 sq ft must remain in an unaltered state.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. Silt fencing must be removed once the area is stabilized.

11. This permit is contingent upon all necessary approvals from the DES Subsurface Systems Bureau.

2009-02198 HAXTON, MICHAEL
SUNAPEE Sunapee Lake

Requested Action:

Impact 13,055 sq ft to renovate and expand an existing, nonconforming primary structure and replace impervious drive surface with a pervious driveway surface.

APPROVE PERMIT:

Impact 13,055 sq ft to renovate and expand an existing, nonconforming primary structure and replace impervious drive surface with a pervious driveway surface.

WAIVER APPROVED: RSA 483-B:9, II is waived to allow the expansion of a primary structure that encroaches on the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Northcape Design, Inc. as revised October 14, 2009 and received by the Department of Environmental Services ("DES") on October 14, 2009.
2. This approval includes a waiver of RSA 483-B:9, II and, therefore, shall not be effective until it has been recorded at the Sullivan County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 19.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The Applicant shall restore 3,687 sq ft of the natural woodland buffer landward of the primary build line by planting a mixture of native species as shown on the Proposed Site Plan as revised October 13, 2009. The replanted areas shall be allowed to revert to a natural state and shall be considered unaltered areas in accordance with RSA 483-B:9, V, (b).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant is proposing to reduce the impervious surface area of the lot in the protected shorelands from 30.5% to 19.7%,

increase the setback to the reference line from 28 ft to 35 ft, and restore 3,687 sq ft of Natural Woodland Buffer.

4. The project as proposed would result in reduced run-off from impervious surfaces and improved buffers to the protected waters and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2009-02208 COVE ROAD REALTY TRUST
WAKEFIELD Balch Lake

Requested Action:

Impact 1,079 sq ft for the install of a septic system to service an existing garage.

APPROVE PERMIT:

Impact 1,079 sq ft for the install of a septic system to service an existing garage.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Service Corp. dated September 11, 2009 and received by the Department of Environmental Services ("DES") on September 27, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 29.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02213 ECKSTEIN, ERIC & MELISSA
RINDGE Pool Pond

Requested Action:

Impact 1,717 sq ft for the removal of existing pier foundation supporting an existing camp and pour a new concrete foundation wall.

APPROVE PERMIT:

Impact 1,717 sq ft for the removal of existing pier foundation supporting an existing camp and pour a new concrete foundation wall.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated September 2, 2009 and received by the Department of Environmental Services ("DES") on September 27, 2009.
2. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,575 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,190 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02214 WALTON, DEREK
NELSON Granite Lake

Requested Action:

Impact 431 sq ft addition to an existing home for a living space, new frost wall foundation and excavate for geothermal well.

APPROVE PERMIT:

Impact 431 sq ft addition to an existing home for a living space, new frost wall foundation and excavate for geothermal well.

With Conditions:

1. All work shall be in accordance with plans by Derek Walton dated September 22, 2009 and received by the Department of Environmental Services ("DES") on September 25, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 11.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 200 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,750 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02215 MORRISON, CLAUDIA/FRANK
EPSOM Chestnut Pond

Requested Action:

Impact 3,540 sq ft for the purpose of installing a new septic system.

APPROVE PERMIT:

Impact 3,540 sq ft for the purpose of installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Jason S. Hill of Holden Engineering and Surveying, Inc., dated September 11, 2009

and received by the Department of Environmental Services ("DES") on September 28, 2009.

2. No more than 15.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 5,780 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,405 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. This permit is contingent upon all necessary approvals from the DES Subsurface Systems Bureau.
14. Upon completion of the proposed project, the existing septic system will pose no threat to public surface waters.

2009-02230 LAVALLEE, RONALD
WASHINGTON Highland Lake

Requested Action:

Impact 336 sq ft for the construction of a 12'x 28' storage garage.

APPROVE PERMIT:

Impact 336 sq ft for the construction of a 12'x 28' storage garage.

With Conditions:

1. All work shall be in accordance with plans by Lapar Builders Inc dated August 26, 2009 and received by the Department of Environmental Services ("DES") on October 7, 2009.
2. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

Requested Action:

Impact 1,120 sq ft to construct a garage.

APPROVE PERMIT:

Impact 1,120 sq ft to construct a garage.

With Conditions:

1. All work shall be in accordance with plans by Meridan Land Services, Inc. dated September 24, 2009 and received by the Department of Environmental Services ("DES") on September 29, 2009.
2. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 5,122 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,625 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02232

CHRISTOPHER, MICHAEL & HYON

MERRIMACK Holt Pond

Requested Action:

Impact 21,936 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing a new septic system.

APPROVE PERMIT:

Impact 21,936 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans submitted by David O'Hara dated August 24, 2009 and received by the Department of Environmental Services ("DES") on September 29, 2009.
2. No more than 6.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 14,931 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. In order to remain compliant RSA 483-B:9, V, (b), (2), (A), (ii), a least 14,085 sq ft must remain in an unaltered state.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Silt fencing must be removed once the area is stabilized.

12. This permit is contingent upon all necessary approvals from the DES Subsurface Systems Bureau.

2009-02233 GERLACK, ROBERT & NANCY
ENFIELD Mascoma Lake

Requested Action:

Impact 2,550 sq ft for the purpose of constructing a new residential dwelling and installing a new septic system.

APPROVE PERMIT:

Impact 2,550 sq ft for the purpose of constructing a new residential dwelling and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans submitted by David S. Deck and received by the Department of Environmental Services ("DES") on September 29, 2009.

2. No more than 1.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project.

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

12. This permit is contingent upon all necessary approvals from the DES Subsurface Systems Bureau.

2009-02245 STANTON, THOMAS
CONWAY Conway Lake

Requested Action:

Impact 240 sq ft for the purpose of constructing a new storage shed.

APPROVE PERMIT:

Impact 240 sq ft for the purpose of constructing a new storage shed.

With Conditions:

1. All work shall be in accordance with plans submitted by Thomas Slayton received by the Department of Environmental Services ("DES") on September 30, 2009.
2. No more than 1.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Silt fencing must be removed once the area is stabilized.

2009-02247 NH DEPT OF TRANSPORTATION
BRENTWOOD Exeter River

Requested Action:

Impact 20,124 sq ft for the purpose of upgrading an existing public roadway.

APPROVE PERMIT:

Impact 20,124 sq ft for the purpose of upgrading an existing public roadway.

With Conditions:

1. All work shall be in accordance with plans by the NH Department of Transportation and received by the Department of Environmental Services ("DES") on September 30, 2009.
2. No more than 77.3%% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. Silt fencing must be removed once the area is stabilized.

2009-02248 ROMAN CATHOLIC BISHOP OF MANCHESTER
BRISTOL Newfound River

Requested Action:

Impact 9,690 sq ft for the purpose of rennovating an existing facility.

APPROVE PERMIT:

Impact 9,690 sq ft for the purpose of rennovating an existing facility.

With Conditions:

1. All work shall be in accordance with plans submitted by French Land Services, Inc., and received by the Department of Environmental Services ("DES") on September 30, 2009.

2. No more than 88.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

3. The project as proposed will leave approximately 545 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).

4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state 4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

2009-02251 KEEFE, JOHN & CATHERINE
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 648 sq ft to pour a foundation under an existing home.

APPROVE PERMIT:

Impact 648 sq ft to pour a foundation under an existing home.

With Conditions:

1. All work shall be in accordance with plans by John and Catherine Keefe dated September 1, 2009 and received by the Department of Environmental Services ("DES") on September 14, 2009.
2. No more than 2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 9009 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 18,018 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02260 GOETZENBERGER, BILL
NEWBURY Lake Sunapee

Requested Action:

Impact 2,250 sq ft to construct a new garage and realign driveway.

APPROVE PERMIT:

Impact 2,250 sq ft to construct a new garage and realign driveway.

With Conditions:

1. All work shall be in accordance with plans by Douglas Gamsby, CLD Consulting Engineers dated September 1, 2009 and received by the Department of Environmental Services ("DES") on October 1, 2009.
2. No more than 15.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 3,266 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,544 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02262 PLANTATION BEACH ASSOCIATION
LACONIA Lake Winnepesaukee

Requested Action:

Impact 1,625 sq ft for the installation of an underdrain to drain groundwater away from an existing beach.

APPROVE PERMIT:

Impact 1,625 sq ft for the installation of an underdrain to drain groundwater away from an existing beach.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated September 16, 2009 and received by the Department of Environmental Services ("DES") on October 1, 2009.
2. No more than 31.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All of the remaining 4,495 sq ft of the Natural Woodland Buffer beyond the primary building setback currently in an unaltered state must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02290 BACHAND, DENISE
GOFFSTOWN Glen Lake

Requested Action:

Impact 440 sq ft to place a concrete slab to construct a detached garage.

APPROVE PERMIT:

Impact 440 sq ft to place a concrete slab to construct a detached garage.

With Conditions:

1. All work shall be in accordance with plans by RBS ING dated September 1, 2009 and received by the Department of Environmental Services ("DES") on October 2, 2009.
2. No more than 17.28% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,238 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,000 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02316 WHITTAKER, STANLEY
WEST STEWARTSTOWN Diamond Pond

Requested Action:

Impact 2,852 sq ft in replacing existing camp supports with concrete and concrete pads, install a 6 in x 50 ft pipe with stone to catch roof runoff, gravel parking area and shed.

With Conditions:

1. All work shall be in accordance with plans by Tim Wood, WLHB, LLC dated and received by the Department of Environmental Services ("DES") on October 6, 2009.

2. No more than 6.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

3. The project as proposed will leave approximately 15,648 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,824 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02318 DESROCHE, MIKE
DEERFIELD Pleasant Lake

Requested Action:

Impact 1,875 sq ft for an existing non-conforming house expansion, trench for septic line.

APPROVE PERMIT:

Impact 1,875 sq ft for an existing non-conforming house expansion, trench for septic line.

With Conditions:

1. All work shall be in accordance with plans by Polluck Land Planning, LLC dated September 21, 2009 and received by the Department of Environmental Services ("DES") on October 6, 2009.

2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.”

3. No more than 0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 694 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 694 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02319 FICKETT FAMILY REVOC TRUST OF 2003, R & C
CENTER OSSIPEE Ossipee Lake

Requested Action:

The project as proposed will leave 0 sq ft of the Natural Woodland Buffer.

APPROVE AMENDMENT:

The project as proposed will leave 0 sq ft of the Natural Woodland Buffer.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. dated October 6, 2009 and received by the Department of Environmental Services ("DES") on October 7, 2009.
2. No more than 17.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,881 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,881 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02320 DUBUQUE II, THOMAS
ENFIELD Mascoma Lake

Requested Action:

Impact 150 sq ft for an addition to an existing house.

APPROVE PERMIT:

Impact 150 sq ft for an addition to an existing house.

With Conditions:

1. All work shall be in accordance with plans by Lloyd Hackeman dated October 1, 2009 and received by the Department of Environmental Services ("DES") on October 7, 2009.
2. No more than 18.68% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02321 SREDL, HENRY
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 450 sq. ft. for the construction of a carport to an existing garage supported on concrete piers.

APPROVE PERMIT:

Impact 450 sq. ft. for the construction of a carport to an existing garage supported on concrete piers.

With Conditions:

1. All work shall be in accordance with plans by Lapers Builders dated August 26, 2009 and received by the Department of Environmental Services ("DES") on October 7, 2009.
2. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02322 MONTGOMERY, JOHN
FRANCESTOWN Pleasant Lake

Requested Action:

Impact 1,246 sq ft for a new septic installation.

APPROVE PERMIT:

Impact 1,246 sq ft for a new septic installation.

With Conditions:

1. All work shall be in accordance with plans by Sharon Monahan, Site Succor Design, LLC dated October 1, 2009 and received by the Department of Environmental Services ("DES") on October 7, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 4.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 1,246 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,308 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02326

BARNEY, KENNETH

ALTON Lake Winnepesaukee

Requested Action:

Impact 7,227 sq ft for the construction of a 3 bedroom house with porch and steps, septic, regrading, well and waterline.

APPROVE PERMIT:

Impact 7,227 sq ft for the construction of a 3 bedroom house with porch and steps, septic, regrading, well and waterline.

With Conditions:

1. All work shall be in accordance with plans by Folsom Group Design dated September 21, 2009 and received by the Department of Environmental Services ("DES") on October 7, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 7.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 3,650 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,759 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02346 GFROERER, HELEN
NEW CASTLE Piscataqua River

Requested Action:

Impact 585 sq ft to remove and rebuild an existing addition and back porch in the same footprint along with removal of an existing shed and access ramp.

APPROVE PERMIT:

Impact 585 sq ft to remove and rebuild an existing addition and back porch in the same footprint along with removal of an existing shed and access ramp.

With Conditions:

1. All work shall be in accordance with plans by Easterly Surveying, Inc dated August 15, 2009 and received by the Department of Environmental Services ("DES") on October 8, 2009.
2. No more than 15.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 158 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02348 FAIRBANKS, LARRY
ENFIELD Crystal Lake

Requested Action:

Impact 272 sq ft for the construction of a new porch and stairs to an existing.

APPROVE PERMIT:

Impact 272 sq ft for the construction of a new porch and stairs to an existing.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineering dated September 1, 2009 and received by the Department of Environmental Services ("DES") on October 8, 2009.
2. No more than 3.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 10,659 sq ft of the Natural Woodland Buffer beyond the primary building

setback in an unaltered state. At least 5,329 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02350 MURDOUGH JR, THOMAS G
CENTER HARBOR Squam Lake

Requested Action:

Impact 20,000 sq ft for the construction of a 3,588 sq ft home, sports court, and new septic.

APPROVE PERMIT:

Impact 20,000 sq ft for the construction of a 3,588 sq ft home, sports court, and new septic.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan, Associates, P.C. dated October 7, 2009 and received by the Department of Environmental Services ("DES") on October 8, 2009.

2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."

3. No more than 19.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. The project as proposed will leave approximately 19,300 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 19,227 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02354 GALLAGHER, DAVID & CHYREL
MEREDITH Lake Waukewan

Requested Action:

Impact 5,886 sq ft for the construction of a single family home with attached garage, septic and driveway.

APPROVE PERMIT:

Impact 5,886 sq ft for the construction of a single family home with attached garage, septic and driveway.

With Conditions:

1. All work shall be in accordance with plans by Associated Surveyors dated May, 22, 2009 and received by the Department of Environmental Services ("DES") on October 9, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 2,186 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,186 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02417 MCDONALD, ROBERT & MARY ELLEN
CENTER OSSIPEE Ossipee Lake

Requested Action:

Impact 3,579 sq ft for the purpose of constructing a new residential dwelling, new garage and installing a new septic system.

APPROVE PERMIT:

Impact 3,579 sq ft for the purpose of constructing a new residential dwelling, new garage and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental, LLC., dated September 16, 2009 and received by the Department of Environmental Services ("DES") on October 13, 2009.
2. No more than 18.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will allow portions of the Natural Woodland Buffer as indicated on a detailed site plan received by the department, to revert to an unaltered state so that upon completion of the project, the net unaltered state area on the subject property will equal no less than 1,155 sq ft.
4. There shall be no additional impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. Silt fencing must be removed once the area is stabilized.

CSPA PERMIT W/VARIANCE

2009-00398 GEORGE, SUSAN
HOLDERNESS Squam Lake

Requested Action:

Amend permit to include conversion of a deck to a porch.

Inspection Date: 04/17/2009 by Grant E Mecozzi

APPROVE AMENDMENT:

Amend permit to read: Impact 1000 sq ft for the purpose of installing a concrete foundation under an existing single family dwelling and converting an existing deck to a porch.

VARIANCE APPROVED: RSA 483-B:9 V(A)(i) is varied to allow the removal of native vegetation for the temporary impacts associated with the construction of a foundation.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants LLC revised October 1, 2009 and received by the Department of Environmental Services ("DES") on October 2, 2009.
2. All areas of native vegetation that will be removed for the proposed project shall be replanted with native trees, shrubs and ground covers upon completion of project installation.
3. This approval includes a variance of RSA 483-B:9, V(A)(i) and, therefore, shall not be effective until it has been recorded at the Grafton County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No more than 23.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The applicant or their designated agent hereby request a variance of RSA 483-B:9 V(A)(i) for the purpose of constructing a foundation under an existing single-family dwelling.
2. The literal enforcement of the standard would result in an unnecessary hardship as the native vegetation impacted for the completion of the proposed project will be replanted. Additionally, the property is a condominium and there will be no expansion in footprint of the existing primary structure.
3. Granting the variance will not result in the diminution in the value of the surrounding properties as the native vegetation and ground cover to be removed during the project will be replanted upon the completion of the project.
4. Granting the variance will not be contrary to the spirit of RSA 483-B as there will be no increase in impervious surfaces associated with the proposed project and all native vegetation removed during construction will be replanted once the project is complete.
5. Granting the variance will do substantial justice as the project will provide the same or greater degree of protection than those that currently exist by replanting all temporary impacts associated with the proposed project with native vegetation.
6. The project as amended will not impact any areas beyond those impacted under the original approval.